United Nations

Centre against Apartheid

Notes and Documents

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SPECIAL COMMITTEE AGAINST APARTHEID OUTLINES FRAMEWORK FOR INTERNATIONAL SUPPORT OF THE PEACE PROCESS IN SOUTH AFRICA

[Note: This issue contains the statements made by the Secretary-General of the United Nations and the Chairman of the Special Committee against Apartheid at the first formal meeting of the Special Committee against Apartheid held on 18 February 1992.]

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STATEMENT BY MR. BOUTROS BOUTROS-GHALI, SECRETARY GENERAL OF THE UNITED NATIONS

Throughout the years, I have followed with deep interest the situation in South Africa. The commitment of the United Nations, ably advocated by the Special Committee against Apartheid, to seek an end to apartheid and witness the birth of a democratic country, has undoubtedly contributed to the auspicious developments we are witnessing today.

The Special Committee has, over the years, played an important role in stirring the conscience of the international community. The consensus which the Special Committee helped forge recently in the General Assembly gave further impetus and weight to this role.

It is a pleasure to join you at your first meeting of this year. I should like to congratulate you, Ambassador Ibrahim A. Gambari, as well as your colleagues on the bureau on your re-election to a new term of office.

The system of apartheid in South Africa, which has rightly been on the agenda of the United Nations for many years, is crumbling under the combined pressure of internal and external forces. It is possible now to envisage a new society in South Africa - a society which respects human rights, a society which does not discriminate on grounds of colour, sex, political affiliation or creed; an undivided society in which economic wealth and opportunity are shared by all.

It is these principles underpinning the Declaration on Apartheid and its Destructive Consequences in South Africa, which the General Assembly approved by consensus in 1989, that constitute the international community's blueprint for a future South Africa. It should be a source of satisfaction for all of us that negotiations towards a new constitution in South Africa are finally under way, in line with the proposals and guidelines of the Declaration.

Courageous political steps have been taken in South Africa in the past two years. The repeal of major apartheid laws and the beginning of the repatriation of exiles facilitated the start of the current negotiations. The launching of the Convention for a Democratic South Africa marked a new stage in the political life of the country, as concerned parties began the gradual process towards national reconciliation and agreement on a democratic constitution.

The presence of the United Nations at the Convention in December 1991 made it clear that we fully support this process. The inclusion of all parties concerned in the negotiations will, of course, enhance the prospects of achieving early and durable solutions. We hope, therefore, that others who have not yet done so will soon join these negotiations. It will be important to address as early as possible critical outstanding differences regarding transitional arrangements that will inspire general confidence in the administration of the country, and

the necessary mechanism for drafting a new constitution. Delays in reaching agreement on these matters would only increase the threat emanating from those opposed to the democratic transformation of the country.

Persisting political violence and major socio-economic problems continue to endanger the process and require an effective response. Such a response would build confidence in the current negotiations and would be crucial to the success of national reconstruction. In this context, a number of specific suggestions were made by my distinguished predecessor in his last report to the General Assembly.

All who are and have been involved in this historic process are arriving, we must hope, at the end of a long night, and should be braced for arduous days ahead. If the people of South Africa are to make a peaceful transition to a true democracy in their country, they must all proceed together, with wisdom, imagination and generosity of spirit. The international community must continue to be vigilant and respond appropriately to developments as they occur. The Special Committee and I, in our respective mutually supportive roles, have the important and challenging duty of providing advice and assistance during this difficult transition and beyond. The General Assembly has defined the scope of our responsibilities and I am certain that the United Nations will continue to effectively support this critical process.

In closing, I wish to take this opportunity to pay tribute to Sotirios Mousouris who has made such a distinguished contribution as head of the Centre against Apartheid and who will now be assuming new functions. I am confident that James Jonah, Under-Secretary-General for Political Affairs, who will be taking over this important function, will provide exemplary support for the work of the Committee.

STATEMENT BY H. E. PROFESSOR IBRAHIM A. GAMBARI (NIGERIA), CHAIRMAN OF THE SPECIAL COMMITTEE AGAINST APARTHEID

I wish to begin by thanking members of the Special Committee for the confidence reposed in my country, Nigeria, as well as myself personally for re-electing me to chair this important Committee.

I want to thank all of you for your important contributions which have helped in shaping the events unfolding inside South Africa today. I will therefore take it for granted that you will continue to take the work of our Committee as seriously as ever. Despite several positive developments that have occurred in South Africa, the country essentially still

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remains non-democratic. Indeed, the country is truly at an historic crossroad. We must rededicate ourselves to work with the disadvantaged majority of South Africans for an early attainment of a truly non-racial democratic country. This is a challenge that faces all of us and together, I am sure, we will overcome.

At the beginning of each year, the Special Committee against Apartheid makes an assessment of developments in South Africa, outlines its strategy for the months to come and presents its programme of work. This year, in particular, we need to measure the progress achieved thus far in the process of negotiations aimed at eradicating apartheid by peaceful means. On this basis, we can recommend a framework for the support the international community needs to give to that process. As the focal point for the United Nations' long standing efforts to help eradicate apartheid, our views and activities are an important reference point for the international community and a catalyst for enhancing a coordinated contribution of the United Nations system.

1991 was a remarkable year for South Africa. Amidst the persisting political violence and setbacks, the process of change, as our former Secretary-General, Mr. Javier Pérez de Cuéllar, characterized it, "although halting, remained on course". It culminated in the launching of the Convention for a Democratic South Africa (CODESA), which was a constructive beginning for the difficult negotiations ahead. It is hoped that 1992 will bring about further important developments and may thus demand more of our contribution and our efforts to assist the ongoing process of change in South Africa.

In my address at the close of the General Assembly debate on apartheid in December 1991, I outlined the platform for the work of the Special Committee for 1992. The thrust of our agenda is delineated in the resolution on the programme of work of the Special Committee, as well as the consensus and other resolutions adopted by the General Assembly on 13 December 1991. Now it is up to the Committee to give full effect to these important decisions of the Assembly.

During the debate on apartheid last December, there was a consensus among the States Members of the United Nations that significant developments continue to take place in South Africa. An analysis of this debate indicates that while Member States were appreciative of the political advances made in South Africa over the last year, particularly of the launching of CODESA, they nonetheless remained concerned about the persistence of violence and a number of other difficulties, including the grave socio-economic inequalities, which could delay or even derail the political process of negotiations towards the peaceful eradication of apartheid.

Member States on the whole supported the concept of a phased application of pressure in line with positive developments and the necessity of increased assistance for the disadvantaged South Africans. These points of view were reflected in the consensus omnibus

resolution entitled "International efforts towards the total eradication of apartheid and support for the establishment of a united, non-racial and democratic South Africa".

The need to elaborate on the intent and implications of the omnibus consensus resolution has arisen, especially with regards to the phased application of pressure or phased lifting of sanctions. Recognizing the need to encourage further positive developments, it was deemed pertinent, and helpful to the political process, to lift certain pressures, particularly in the cultural, academic and sporting fields. Thus, the General Assembly recommended that academic, scientific and cultural links be resumed with democratic anti-apartheid organizations and the individuals in these fields. This decision is in tandem with that of the Commonwealth and numerous other countries, including several African States, that are easing these restrictions as part of the so-called "people-to-people" contacts.

The Special Committee interprets this policy, as outlined in the General Assembly resolution, as the encouragement of cultural and academic links which are purposeful, helpful to the eradication of apartheid and supportive of the emerging democratic, non-racial culture of the country. It would be advisable that at this early stage artists and scientists exercise caution and consult with non-racial, democratic organizations before undertaking activities in South Africa.

Likewise, the resolution deems that sports links may be resumed with unified and non-racial sporting organizations in South Africa which have received the endorsement of appropriate non-racial sporting organizations within South Africa.

As a means of maintaining leverage on the South African authorities, the General Assembly also called for a "phased application of appropriate pressure on the South African authorities as warranted by developments". This approach supports and encourages further positive changes and creates a definitive basis for acknowledging such changes when they occur. The decision to remove some restrictions on South Africa should not, therefore, be interpreted as a "green light" for Member States or organizations to engage in full fledged economic and trade relations with South Africa, thereby undermining the international community's political leverage on the authorities in that country. Such an interpretation would obstruct rather than promote positive developments in South Africa.

Thus, with regards to trade and investments, the Special Committee remains of the view that in accord with the spirit of the consensus resolution, the restrictions should be maintained until the establishment of transitional arrangements inspiring general confidence in the administration of the country. In the same spirit, the Special Committee considers that financial sanctions should remain until a transitional authority calls for their lifting. It should be recalled that financial sanctions have been a significant component of the international pressure on South Africa.

The restrictions on oil and arms remain crucial to maintaining a political leverage on South Africa. These restrictions will be removed only at the final stage of the transition process in South Africa; that is, when a new constitution is adopted and a democratically elected government has been properly installed.

Questions have also been raised regarding the status of the other restrictions which were not explicitly mentioned in the resolutions such as air links, tourism, visas and consular relations. The lifting of such restrictions should be seen in the context of the phased lifting of sanctions. Should substantial progress be made at CODESA in the forthcoming months, the Special Committee will then be in a better position to express its views regarding restrictions in these areas.

It should be re-emphasized that the negotiations in South Africa are not among equals. Therefore, the international community has the duty and the responsibility to support the forces negotiating with those who still monopolize the reins of economic and political power in that country.

Of the series of significant changes and events, which took place in South Africa in 1991, I cannot emphasize enough the historic importance of CODESA to the process of peaceful change in that country. Although serious differences remain, CODESA, in many ways, fulfilled the demand long made by the democratic forces in South Africa and joined by the international community through the United Nations Declaration to convene a meeting of all concerned parties. The positive attitude displayed by the participants, the prevailing atmosphere of political dialogue and the successful outcome augur well for the next sessions of CODESA.

The Special Committee was represented in the delegation sent by the former Secretary-General of the United Nations to CODESA. The United Nations High Commissioner for Refugees, Mrs. Sadako Ogata, and myself had the privilege of leading the United Nations delegation, which also included the Assistant Secretary-General for the Centre against Apartheid, Mr. Sotirios Mousouris. Our presence, and that of the other international observers attested to the profound and continued commitment of the international community to encourage the emergence of a democratic non-racial South Africa. In a common statement, the observers from the United Nations, the Organization of African Unity, the Movement of Non-Aligned Countries and the Commonwealth noted: "CODESA must herald the dawn of a new era of peace and justice. The broad objectives expressed in the Declaration of Intent are a most constructive and auspicious beginning for CODESA and give promise of attainment of a true democracy for South Africa." They also expressed the "hope that all the representatives of the South African people would join in the rebuilding of their country".

As you know, the Pan Africanist Congress of Azania (PAC), made the political decision not to attend CODESA. We met with the leadership of PAC in Johannesburg,

where they explained to us the reasons for their decision. We expressed to them the hope that the unity forged at the Patriotic/United Front meeting would be maintained and that all parties would be able to join CODESA in the very near future.

There are a number of other factors, however, that have cast a shadow over the substantial advances made recently in political life of South Africa. Foremost among them is the persisting political violence and the apparent inability or unwillingness of the authorities to bring it under control. Of special concern is the emerging evidence of the security forces; involvement in this violence through a series of illegal and unconstitutional mechanisms, which place in jeopardy the good faith of the authorities. The hope remains that the Goldstone Commission will pursue this matter vigorously and will make appropriate and effective recommendations. The Special Committee wishes to reiterate its concern about the negative impact that this violence can have in the ongoing process and in the creation of conditions for future reconciliation in the country.

Whereas a growing consensus is emerging among the major parties on the basic principles which should underlie the future constitution, their views still differ substantially on a number of fundamental issues; such as the nature and duration of transitional arrangements and the body to draft a new constitution within the agreed time span.

The address of President de Klerk to the parliament provides ambiguous signs. While the authorities appear to recognize the need for interim arrangements and for an elected body to draft the constitution, their proposal regarding the referendums and interim parliaments appear to be perplexing, dilatory and, what is more, perilous, as the proposal gives the White minority a veto power over the process. In the light of this veto, the process of change in South Africa can hardly be considered "irreversible".

In his address to the inaugural session of CODESA, ANC President, Nelson Mandela, pointed out that "CODESA, on its own, will not deliver democracy". Recognizing that weakness in the process, the Special Committee reiterates its conviction that CODESA should be based on democratic principles and its decisions should be fully implemented. The Special Committee will encourage unity among the opponents of apartheid and will also continue to try to convince all those who have not yet done so, especially those with whom it has long collaborated, to join CODESA. It is our duty to help ensure that the negotiating process remains on course so that it may deliver democracy to all South Africans. The general framework of a dual-track policy of pressure and assistance, which I outlined last year, will continue to be relevant for the attainment of this objective.

The Special Committee will also continue to consult regularly, both with the parties concerned in South Africa and with the relevant international governmental and non-governmental organizations, on the situation in South Africa. In this context, we will modify the format usually followed for the observance of solidarity days. This year, round table

discussions with South Africans will be held on subjects pertinent to those days, thus allowing us to acquire a better understanding of events in that country.

The Special Committee has endeavored to prepare a programme of work that takes into account all the complex elements of the ongoing process in South Africa and is flexible enough to allow us to respond appropriately to ever-changing circumstances. I would like to mention a few specific activities to be undertaken by the Special Committee during 1992 and which, it is hoped, will serve to promote our objectives.

During the next few months, the Special Committee will need to monitor developments closely, in order to identify all factors threatening to derail the process in South Africa and to issue early warnings accordingly. We will thus pay particular attention to the underlying causes of violence. The level and the nature of violence continues to be extremely disturbing. More than 2,600 persons lost their lives in 1991 as a result of politically related violence. We must also carefully monitor that agreements reached by the negotiating parties, such as the National Peace Accord, are effectively implemented. The hearings on conditions for the internal peace process, which we will hold during the first half of this year, will assist us in this task. I hope that useful recommendations will emerge from the hearings.

One of the round tables to which I have already referred will focus on the needs of released political prisoners and returning exiles. The Special Committee will continue to press for the release of all remaining political prisoners and the facilitation of the return of all exiles as well as the repeal of all remaining repressive legislation.

Another area of particular concern, as the negotiating process unfolds, and in which the United Nations can provide expertise and assistance, is that of the protection and promotion of human rights. Thus, the Special Committee is planning to hold a workshop on constitutional issues and human rights in South Africa, in cooperation with the United Nations Centre for Human Rights. The venue is still to be decided upon, and will be determined in light of further developments inside South Africa.

The Special Committee will also endeavour to increase awareness in the international community of the magnitude of the socio-economic inequalities that persist in that country. As the worsening economic prospects of the majority of South Africans threaten to erode their confidence in the positive outcome of negotiations, the Special Committee will continue to reiterate the urgent need that, in the words of the former Secretary-General, for the adoption of a comprehensive national programme of redress to assist the disadvantaged sectors of the South African population.

In that context, the Special Committee plans to sponsor a meeting on the future role of the United Nations system in helping to address critical socio-economic problems in South Africa, which is now scheduled to take place at Windhoek next April. This meeting will offer a timely opportunity for senior representatives of United Nations agencies on the one

hand, and prominent South Africans involved in those issues on the other, to make a preliminary identification of both the pressing needs of the majority of the South African population and the areas in which the United Nations system may be helpful in alleviating these needs in a concerted manner. The consensus resolution adopted in December 1991 gives clear authority to the Secretary-General to guide the agencies and organizations of the United Nations system regarding their activities related to South Africa, in line with positive developments in the country.

Cognizant of the urgently required assistance in education and training, the Special Committee, in cooperation with the United Nations Educational and Training Programme for Southern Africa, will organize in May 1992 a follow-up meeting to the International Conference on the Educational Needs of the Victims of Apartheid in South Africa, held in 1991 in Paris in cooperation with UNESCO.

We will also convene a round table with representatives of South African business and labour, who should draw for us a clearer picture of the distortions characterizing the South African economy and labour market. This round table will also afford us the opportunity to hear the specific views of the business and labour sectors on such crucial issues as the future of the economy in South Africa. Another round table, on issues of women and children and the building of a non-sexist society in South Africa, will allow us to focus our attention on sectors of the population that are at a particular disadvantage and whose contribution is essential to the future of a democratic South Africa.

In conclusion, I wish to reiterate that the situation in South Africa has finally started to evolve positively, and we can rightfully take heart from the progress achieved so far. The similarity observed between the Declaration of Intent adopted by the parties attending CODESA and the suggested constitutional principles set out in the United Nations 1989 Declaration on Apartheid is particularly encouraging; it underlines the continued relevance of this Declaration and, more importantly, indicates that the international norms for democracy and human rights envisaged in that Declaration are gaining increasingly broad acceptance in this tragically divided country.

Nonetheless, we cannot let down our guard. If the European Community's recent lifting of its trade sanctions on South Africa is a harbinger of international response to developments in South Africa, then we have a difficult task ahead of us indeed.

Whatever may be the case, we must continue to discharge our mandate as given to us by the General Assembly, and do so effectively. Our effectiveness will lie primarily in our ability to keep in perspective the realities in South Africa; and our ability to also identify and react against those policies and actions that have the capacity to undo the progress made so far. The dynamics of the political circumstances in that country is one that changes continuously. We have a responsibility, therefore, to keep abreast with those developments,

and to assess constantly the evolving political process. The people of South Africa seeking a democratic society will expect no less from us.

Finally, as Chairman of the Special Committee, I shall continue to consult widely with all those concerned. I hope that I can continue to count on the invaluable support I have received over the past year from all the members of the Special Committee, from other States Members of the United Nations and, of course, from the United Nations Centre against Apartheid. We are greatly encouraged by the renewed commitment of the distinguished Secretary-General and look forward to his valuable support in our common effort to bring about the speedy end of apartheid. I wish also to take this opportunity to congratulate Under-Secretary-General James Jonah on his appointment as the head of the very important Department of Political Affairs. We have no doubt that the Special Committee can count on his generous support so that it can meet the challenges of this crucial stage of the anti-apartheid struggle and assist the people of South Africa.
Mr. Sotirios Mousouris has played an important role, as the head of the Centre, in creating the situation for this cooperative effort. As he assumes his new responsibility, I would like, on behalf of the Special Committee and my own, to thank him for his very significant contribution and wish him success in his future endeavours. Let us again commit ourselves to our noble objective of helping South Africans achieve their quest of a non-racial and democratic South Africa especially at this critical juncture when there appears to be the proverbial light of democracy at the end of the long, dark tunnel of apartheid.